

REMARKS

The Office Action requires an election under 35 U.S.C. §§ 121 and 372 from among 3840 groups, which are not reiterated here. Applicants are unable to elect a group by number, given the chaotic numbering presented in the Office Action. However, Applicants elect, with traverse:

Groups 1-320, claims 6, 17-24 and 31, drawn to a conjugate comprising a first sequence and a second sequence, (1) wherein the first sequence comprises MHC Class II binding domain of a superantigen, as recited in claim 21, (2) wherein the second sequence is a Notch ligand or fragment, as recited in claim 7, and (3) wherein the second sequence upregulates Notch signaling, as recited in claim 9.

It is noted that claims 1-5 link inventions 1-1280 and that, upon allowance of claims 1-5, the restriction between groups 1-1280 will be withdrawn. It is further noted that groups 1281-1600 and groups 2561-2880 are method claims depending from the elected product claims. Applicants request rejoinder under the provisions of MPEP § 821.04 of these groups upon allowance of the product claims.

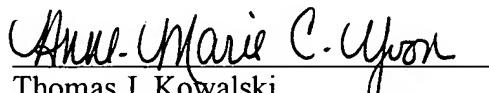
As a traverse, it is noted that the MPEP lists two criteria for a proper restriction requirement. First, the inventions must be independent or distinct. (MPEP § 803) Second, searching the additional inventions must constitute an undue burden on the Examiner if restriction is not required. *Id.* In this instance, neither criterion has been met, as the inventions are not independent or distinct, nor would there be an undue burden in searching and examining the pending claims in one application.

Enforcing the present restriction requirement would result in inefficiencies and unnecessary expenditures by both the Applicants and the PTO, as well as extreme prejudice to Applicants (particularly in view of GATT, a shortened patent term may result in any divisional applications filed). Restriction has not been shown to be proper, especially since the requisite showing of serious burden has not been made in the Office Action and there are relationships between the claimed combinations.

In view of the above, reconsideration and withdrawal of the restriction requirement are requested, and an early action on the merits earnestly solicited.

Respectfully submitted,

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